

AMENDED IN SENATE MARCH 27, 2006
AMENDED IN ASSEMBLY JANUARY 4, 2006
CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1469

Introduced by Assembly Member Negrete McLeod

February 22, 2005

An act to add Article 1.5 (commencing with Section 18606.1) to Chapter 5 of Part 2.1 of Division 13 of the Health and Safety Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1469, as amended, Negrete McLeod. Mobilehome parks: managers: training.

Existing law governs the administration and management of mobilehome parks, as specified. The Mobilehome Parks Act makes it a misdemeanor to willfully violate any of its provisions.

This bill would add provisions to the act to require a park manager who manages a mobilehome park ~~with 50 or more spaces~~ to complete at least 3 hours of educational programs every year and would require a park manager who is newly hired on or after January 1, 2008, and lacks the requisite educational requirement to complete 5 hours of educational programs within 12 months following employment. The bill would require each provider to furnish to each person who completes the program a certificate of completion and would require the park manager to post proof of completion and compliance with the educational program requirements in the mobilehome park clubhouse or in another conspicuous place within the mobilehome park. The bill would authorize the department to assess a civil penalty, not to exceed

\$500, against an owner if the department finds that the owner or operator has not made a good faith effort to comply with these requirements. Because a willful violation of these provisions would also be a misdemeanor, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 1.5 (commencing with Section 18606.1)
2 is added to Chapter 5 of Part 2.1 of Division 13 of the Health and
3 Safety Code, to read:

4
5 Article 1.5. Continuing Education of Park Managers
6

7 18606.1. A park manager who manages a mobilehome park
8 ~~with 50 or more spaces~~ shall complete at least three hours of
9 educational programs every year. A park manager who is newly
10 hired on or after January 1, 2008, and lacks the requisite
11 educational requirement shall complete five hours of educational
12 programs within 12 months following employment as a park
13 ~~manager in a park with 50 or more spaces.~~ *manager. If a*
14 *mobilehome park does not employ a park manager, the park*
15 *owner or operator shall complete the requisite educational*
16 *requirement. A park manager who is also a common interest*
17 *development manager, as defined in Section 11501 of the*
18 *Business and Professions Code, shall be deemed to meet the*
19 *requirements of this article if he or she satisfies the training*
20 *requirements set forth in Section 11502 of the Business and*
21 *Professions Code.*

22 18606.2. "Park manager" means a person who is primarily
23 responsible for the normal ongoing onsite management of the

1 mobilehome park. This person may, but is not required to, be the
2 individual referenced in Section 18603.

3 18606.3. (a) At least one hour of instruction shall include
4 instruction in new laws or existing statutes affecting this part, the
5 Mobilehome Residency Law (Chapter 2.5 (commencing with
6 Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code),
7 or Title 25 of the Code of California Regulations.

8 (b) Other areas of instruction may include, but are not limited
9 to, information relating to all of the following:

10 (1) Leases and rental agreements.
11 (2) Ethics.
12 (3) Unlawful detainers and eviction proceedings.
13 (4) The resolution of complaints and disputes concerning
14 landlords and tenants.

15 (5) The adoption and enforcement of the rules and regulations
16 of a manufactured housing community.

17 (6) General issues relating to property management.

18 (c) Classes should be administered with an emphasis on
19 teaching participants skills to resolve complaints and disputes
20 with tenants.

21 (d) *An educational program required for the issuance or*
22 *renewal of a real estate license pursuant to Part 1 (commencing*
23 *with Section 10000) of Division 4 of the Business and*
24 *Professions Code satisfies the requirements of this article.*

25 18606.4. "Educational program" means a class, workshop,
26 electronic media, or educational seminar that primarily instructs
27 participants on issues dealing with the operation of a mobilehome
28 park and that is sponsored by a professional or nonprofit
29 organization, including those whose sole or primary purpose is
30 the advocacy and promotion of the manufactured housing and the
31 education of persons who work in the manufactured housing
32 industry.

33 18606.5. The Department of Housing and Community
34 Development, a trade association, or instructor is not liable for
35 the conduct of a landlord, manager, owner, or other person who
36 attends a continuing education program under this article. This
37 article does not create a cause of action against the department, a
38 trade association, or instructor related to the continuing education
39 program.

1 18606.6. Each provider shall furnish to each person who
2 completes the program required by this article a certificate of
3 completion. The certificate must include:

- 4 (a) The name of the participant.
- 5 (b) The subject matter.
- 6 (c) The name of the instructor of the course.
- 7 (d) The number of hours of instruction completed.
- 8 (e) The date the course was given.

9 18606.7. A park manager shall post proof of completion and
10 compliance with the educational program requirements
11 prescribed by this article in the mobilehome park clubhouse or in
12 another conspicuous place within the mobilehome park. The park
13 owner may keep copies on file for proof of compliance with this
14 article.

15 18606.8. The department may assess a civil penalty against
16 an owner if the department finds that the owner or operator has
17 not made a good faith effort to comply with this article. The civil
18 penalty may not exceed five hundred dollars (\$500).

19 SEC. 2. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the
24 penalty for a crime or infraction, within the meaning of Section
25 17556 of the Government Code, or changes the definition of a
26 crime within the meaning of Section 6 of Article XIII B of the
27 California Constitution.